

SB0685/373320/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 685
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Language-Related Assistance**” and substitute “**Language Assistance Program**”; strike beginning with “requiring” in line 3 down through “assistance” in line 9 and substitute “establishing the Language Assistance Program; requiring a local board of elections to participate in the Program if the State Board determines that there is a significant need for language assistance to voters in the county in a language other than English; requiring the State Board to designate, not later than a certain date, certain languages other than English in which a local board that is required to participate in the Program must provide assistance to voters; requiring a local board that is required to participate in the Program to provide, with oversight from the State Board, certain language-related services to voters; and generally relating to the Language Assistance Program”; in line 12, strike “15.5-106” and substitute “15.5-104”; and in line 13, strike “Language-Related Assistance” and substitute “Language Assistance Program”.

AMENDMENT NO. 2

On page 1, in line 19, strike “**LANGUAGE-RELATED ASSISTANCE**” and substitute “**LANGUAGE ASSISTANCE PROGRAM**”; and after line 20, insert:

“(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

“(B) “DESIGNATED LANGUAGE” MEANS A LANGUAGE OTHER THAN ENGLISH IN WHICH THE STATE BOARD DETERMINES A LOCAL BOARD IS REQUIRED TO PROVIDE ASSISTANCE TO VOTERS UNDER THIS TITLE.

“(C) “LIMITED ENGLISH PROFICIENCY” MEANS THAT AN INDIVIDUAL:

- (1) SPEAKS A PARTICULAR LANGUAGE OTHER THAN ENGLISH;
- (2) DOES NOT SPEAK ENGLISH AS A PRIMARY LANGUAGE; AND
- (3) SPEAKS, READS, OR UNDERSTANDS THE ENGLISH LANGUAGE LESS THAN “VERY WELL”, AS REPORTED IN AVAILABLE U.S. CENSUS BUREAU DATA OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC OFFICE.
- (D) “PROGRAM” MEANS THE LANGUAGE ASSISTANCE PROGRAM.
- (E) “VOTING MATERIALS” INCLUDES:
 - (1) STATEWIDE VOTER REGISTRATION APPLICATIONS;
 - (2) STATE BOARD APPROVED ABSENTEE BALLOT APPLICATIONS;
 - (3) SPECIMEN BALLOTS; AND
 - (4) FORMS AND INSTRUCTIONS THAT THE STATE BOARD DETERMINES NECESSARY TO VOTING.

15.5–102.

- (A) THERE IS A LANGUAGE ASSISTANCE PROGRAM.
- (B) A LOCAL BOARD SHALL PARTICIPATE IN THE PROGRAM IF THE STATE BOARD DETERMINES IN ACCORDANCE WITH SUBSECTION (C) OF THIS

SECTION THAT THERE IS A SIGNIFICANT NEED FOR LANGUAGE ASSISTANCE TO VOTERS IN THE COUNTY IN A LANGUAGE OTHER THAN ENGLISH.

(C) THE STATE BOARD SHALL DETERMINE NOT LATER THAN FEBRUARY 1 OF THE YEAR OF THE ELECTION THAT A SIGNIFICANT NEED FOR LANGUAGE ASSISTANCE TO VOTERS EXISTS IN A COUNTY IF, BASED ON THE BEST AVAILABLE DATA, INCLUDING INFORMATION FROM THE U.S. CENSUS BUREAU'S AMERICAN COMMUNITY SURVEY OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC OFFICE:

(1) MORE THAN 2% OF THE CITIZEN VOTING AGE POPULATION OF THE COUNTY:

(I) USE A SINGLE SHARED LANGUAGE OTHER THAN ENGLISH; AND

(II) HAVE LIMITED ENGLISH PROFICIENCY; OR

(2) MORE THAN 4,000 INDIVIDUALS OF THE CITIZEN VOTING AGE POPULATION OF THE COUNTY USE A SINGLE SHARED LANGUAGE OTHER THAN ENGLISH AND HAVE LIMITED ENGLISH PROFICIENCY.

(D) THE STATE BOARD SHALL DETERMINE THAT EACH LANGUAGE OTHER THAN ENGLISH THAT IS USED BY AT LEAST THE NUMBER OF INDIVIDUALS SPECIFIED IN SUBSECTION (C) OF THIS SECTION IS A DESIGNATED LANGUAGE.

(E) (1) THE STATE BOARD SHALL PUBLISH AND MAINTAIN ON ITS WEBSITE A LIST OF:

(I) EACH LOCAL BOARD THAT IS REQUIRED TO PROVIDE LANGUAGE ASSISTANCE IN A LANGUAGE OTHER THAN ENGLISH; AND

(II) EACH DESIGNATED LANGUAGE IN WHICH THE LANGUAGE ASSISTANCE IS REQUIRED TO BE PROVIDED BY THE LOCAL BOARD.

(2) THE STATE BOARD SHALL UPDATE THE INFORMATION PUBLISHED AND MAINTAINED UNDER PARAGRAPH (1) OF THIS SUBSECTION AT LEAST EVERY 2 YEARS.

(F) THE STATE ADMINISTRATOR SHALL PROMPTLY NOTIFY EACH LOCAL BOARD AND THE CHIEF FINANCIAL OFFICER OF THE COUNTY INCLUDED ON THIS LIST UNDER SUBSECTION (E) OF THIS SECTION OF THE REQUIREMENTS OF THIS TITLE.

15.5-103.

(A) EACH LOCAL BOARD THAT IS REQUIRED TO PARTICIPATE IN THE PROGRAM SHALL, WITH OVERSIGHT FROM THE STATE BOARD, PROVIDE TO VOTERS THE SERVICES DESCRIBED IN THIS SECTION.

(B) (1) AT EACH EARLY VOTING CENTER AND ELECTION DAY POLLING PLACE, A VOTER WHO HAS A NEED FOR LANGUAGE ASSISTANCE IN A DESIGNATED LANGUAGE SHALL HAVE THE OPTION TO COMMUNICATE WITH THE ELECTION JUDGES THROUGH A TRANSLATOR.

(2) THE STATE SHALL PROVIDE TO THE LOCAL BOARDS LICENSED TRANSLATION SOFTWARE SERVICES TO IMPLEMENT THE PROGRAM AND THE COUNTY SHALL PAY FOR ALL OTHER EXPENSES ASSOCIATED WITH THE

PROGRAM, INCLUDING NECESSARY HARDWARE AND EACH USE OF THE TRANSLATION SOFTWARE SERVICES.

(C) SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE LOCAL BOARD SHALL POST STATE BOARD APPROVED SIGNAGE IN EACH EARLY VOTING CENTER AND ELECTION DAY POLLING PLACE IN EACH DESIGNATED LANGUAGE NOTIFYING VOTERS THAT LANGUAGE ASSISTANCE AND INTERPRETATION SERVICES ARE AVAILABLE.

(D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE LOCAL BOARD SHALL PROVIDE ONLINE VOTING MATERIALS IN EACH DESIGNATED LANGUAGE.

(E) A LOCAL BOARD MAY PROVIDE SOLELY ORAL INSTRUCTIONS OR OTHER ASSISTANCE IF THE LANGUAGE DOES NOT HAVE A WRITTEN FORM, SUCH AS AMERICAN SIGN LANGUAGE.

(F) THE LOCAL BOARD SHALL MAKE REASONABLE EFFORTS TO RECRUIT BILINGUAL ELECTION JUDGES TO PROVIDE ASSISTANCE TO VOTERS IN DESIGNATED LANGUAGES.

(G) THE LOCAL BOARD, WITH STATE BOARD APPROVAL, MAY PROVIDE LANGUAGE ASSISTANCE SERVICES THAT ARE IN ADDITION TO THE LANGUAGE ASSISTANCE SERVICES REQUIRED IN THIS SECTION.

15.5-104.

THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS TITLE.

(Over)

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SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2026, the State Board of Elections shall publish on its website the information required under § 15.5–102(e) of the Election Law Article, as enacted by Section 1 of this Act.”.

On pages 1 through 6, strike in their entirety the lines beginning with line 21 on page 1 through line 12 on page 6, inclusive.

On page 6, in line 13, strike “2.” and substitute “3.”.